IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2622 OF 2007
IN
SUIT NO. 1775 OF 2007

M/s.Housing Development Finance Corpn. Ltd. ...Plaintiffs
Vs.
Mr. Kharat Mahadev Ravji & Ors. ...Defendants

Ms. Neepa Singh i/b. Mahesh Menon & Co. for Plaintiffs
None for Defendants

CORAM: SMT. ROSHAN DALVI, J.
DATED: 19TH OCTOBER, 2007

P.C.

1. The Plaintiffs have applied for injunction restraining the Defendants from transferring, alienating, parting with possession and disposing off the suit property or creating any third party rights therein. The Plaintiffs have also applied for the appointment of the Court Receiver and the directions for furnishing security by the Defendants in respect of the suit property. This Notice of Motion has been taken out on 20th March, 2007. It has been served along with the copy of the plaint by the registered post upon all the Defendants. It has been returned unclaimed by the Defendant No.1. The service upon Defendant No.1 is

therefore, complete.

2. The packet has been returned to the Plaintiffs with an endorsement that the address of Defendant No.2 is not known. Service upon the Defendant No.2 is not complete. A similar packet has been returned from the Defendant No.3 with the endorsement “left address”. Service upon Defendant No.3 is also not complete.

3. The Plaintiff's Advocate presses for reliefs against Defendant No.1 who is the main borrower. The Defendant No.1 is seen to have been served in July, 2007. The Defendant No.1 has not filed any affidavit in reply. Consequently the Notice of Motion is made absolute against Defendant No.1 in terms of prayer clause (a) and (c). No order as to costs.

(SMT. ROSHAN DALVI, J.)